

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EU186312915US, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: October 1, 2002

Signature: *Monica Thomas*

(Monica Thomas)

RECEIVED

OCT 07 2002

TECH CENTER 1600/2900

Docket No.: HO-P02039US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tetsuo Ashizawa, et al.

Application No.: 09/942,336

Group Art Unit: 1637

Filed: August 29, 2001

Examiner: Hashemi, Shar S.

For: DNA TEST FOR SCA-10

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, but before the mailing date of a Final Rejection or Notice of Allowance.

A copy of each reference on PTO/SB/08 is attached.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information

Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

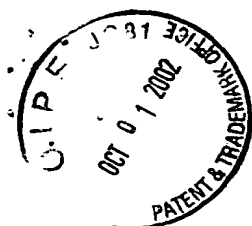
The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P02039US1. A duplicate copy of this paper is enclosed.

Dated:

Oct. 1, 2002

Respectfully submitted,

By Melissa L. Sistrunk
Melissa L. Sistrunk
Registration No.: 45,579
FULBRIGHT & JAWORSKI L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
713 651-3735
713 651-5246 (Fax)
Agent for Applicant



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office: U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	09/942,336
				Filing Date	August 29, 2001
				First Named Inventor	Tetsuo Ashizawa
				Art Unit	1637
				Examiner Name	Hashemi, Shar S.
Sheet	1	of	3	Attorney Docket Number	HO-P02039US1

RECEIVED

OCT 07 2002

TECH CENTER 1600/2900

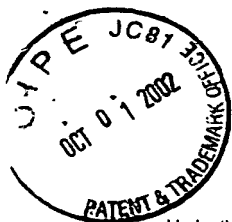
U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	U.S. 5,853,995	12-29-1998	Lee; Cheng-Chi	
	AB	U.S. 5,840,491	11-24-1998	Kakizuka; Akira	
	AC	U.S. 5,834,183	11-10-1998	Orr; Harry T; Ranum; Laura P. W.; Chung; Ming-yi; Zoghbi; Huda Y.	
	AD	U.S. 5,981,185	11-09-1999	Matson et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

¹ Applicant's unique citation designation number (optional). ² See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials [*]	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	CA	Timchenko, LT and Caskey, CT; Trinucleotide repeat disorders in humans: discussions of mechanisms and medical issues; FASEB J., Dec. 1996, pp. 1589-1597; vol. 10(14).		
	CB	Burgess, DL, Matasuura, T., Ashizawa, T., Noebels, JL; Genetic localization of the Ca2+ channel gene CACNG2 near SCA10 on chromosome 22q13; Epilepsia, Jan. 2000, pp. 24-27; vol. 14(1).		
	CC	Silveira, I. Alonso, I., Guimaraes, L., et al. High germinal instability of the (CTG)n at the SCA8 locus of both expanded and normal alleles; Am. J. Hum. Genet., 2000, pp. 830-840; vol. 66.		
	CD	Zu, L., Figueroa, K.P., Grewal, R., Pulst, S.-M. Mapping of a new autosomal dominant spinocerebellar ataxia to chromosome 22; Am. J. Hum. Genet. 1999, pp. 594-599, vol. 64.		
	CE	Matsuura, T., Achari, M., Khajavi, M., Bachinski, L.L., Zoghbi, H., Ashizawa, T. Mapping of the gene for a novel spinocerebellar ataxia with pure cerebellar signs and epilepsy; Ann. Neurol., 1999, pp. 407-411.		
	CF	Matsuura, T., Watase, K., Nagamitsu, S., Zoghbi, H.Y., and Ashizawa, T. Fine mapping of the spinocerebellar ataxia type 10 region and search for a polyglutamine expansion; Ann. Neurol. September 1999; p. 480; vol. 46(3).		
	CG	Pujana, M.A., Corral, J., Gratacos, M. et al., Spinocerebellar ataxias in Spanish patients: genetic analysis of familiar and sporadic cases; Hum. Genet. 1999, pp. 516-522; vol. 104.		
	CH	Giunti, P., Stevanin, G., Worth, P.F., et al. Molecular and clinical study of 18 families with ADCA Type II: evidence for genetic heterogeneity and de novo mutation; Am. J. Hum. Genet. 1999, pp. 1594-1603, vol. 64.		
	CI	Worth, P.F., Giunti, P., Gardner-Thorpe, C., et al. Autosomal dominant cerebellar ataxia Type III: linkage in a large British family to a 7.6-cM region on chromosome 15q14-21.3; Am. J. Hum. Genet., 1999, pp. 420-426, vol. 65.		
	CJ	Ishikawa, K., Mizusawa, H., Saito, M., Tanaka, H., et al. Autosomal dominant pure cerebellar ataxia. A clinical and genetic analysis of eight Japanese families. Brain 1996, pp. 1173-1182, vol. 119 (Pt. 4).		
	CK	Cedars-Sinai scientists localize new ataxia/epilepsy gene; February 17, 1999;		

25208358.1



PTO/SB/08B (10-01)

Approved for use through 10/31/2002.OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	09/942,336
				Filing Date	August 29, 2001
				First Named Inventor	Tetsuo Ashizawa
				Group Art Unit	1637
				Examiner Name	Hashemi, Shar S.
Sheet	2	of	3	Attorney Docket Number	HO-P02039US1

		http://eurekaalert.org/releases/cs-css021999.html	
CL		Biros, I., Forrest, S.M. Duplex PCR for autosomal dominant spinocerebellar ataxia testing: A nonradioactive rapid screening method; Molecular Diagnosis; http://www.wbsaunders.com/MoleDiag/abs/abs3_4/00300223.html	
CM		Klockgether, T., Wullner, U., Spauschus, A., and Evert, B; The molecular biology of the autosomal-dominant cerebellar ataxias; Mov. Disord. 2000, pp. 604-612, vol. 15(4).	
CN		David, G. et al. Cloning of the SCA7 gene reveals a highly unstable CAG repeat expansion; Nature Genet. 1997, pp. 65-70, vol. 17.	
CO		Holmes, S.E. et al. Expansion of a novel CAG trinucleotide repeat in the 5' region of PPP2R2B is associated with SCA12; Nature Genet. 1999, pp. 391-392, vol. 23.	
CP		Imbert, G. et al. Cloning of the gene for spinocerebellar ataxia 2 reveals a locus with high sensitivity to expanded CAG/glutamine repeats. Nature Genet. 1996, pp. 285-291, vol. 14.	
CQ		Kawaguchi, Y. et al. CAG expansions in a novel gene for Machado-Joseph disease at chromosome 14q32.1. Nature Genet. 1994, pp. 221-228, vol. 8.	
CR		Orr H.T. et al., Expansion of an unstable trinucleotide CAG repeat in spinocerebellar ataxia type 1. Nature Genet. 1993, pp. 221-226, vol. 4.	
CS		Pulst S.M. et al., Moderate expansion of a normally biallelic trinucleotide repeat in spinocerebellar ataxia type 2. Nature Genet 1996, pp. 269-276, vol. 14.	
CT		Nakamura K. et al. SCA17, a novel autosomal dominant cerebellar ataxia caused by an expanded polyglutamine in TATA-binding protein. Hum. Mol. Genet. 2001, pp. 1441-1448, vol. 10.	
CU		Sanpei K. et al. Identification of the spinocerebellar ataxia type 2 gene using a direct identification of repeat expansion and cloning technique, DIRECT. Nature Genet. 1996, pp. 277-284, vol. 14.	
CV		Zhuchenko O. et al. Autosomal dominant cerebellar ataxia (SCA6) associated with small polyglutamine expansions in the alpha 1A-voltage-dependent calcium channel. Nature Genet. 1997, pp. 62-69, vol. 15.	
CW		Matsuura T, Yamagata T, Burgess DL, Rasmussen A, Grewal RP, Watase K, Khajavi M, Zu L, Pulst SM, Alonso E, Noebels JL, Nelson DL, Zoghbi HY, Ashizawa T. Large expansion of ATTCT pentanucleotide repeat in spinocerebellar ataxia type 10. Ann Neurol 2000;48:416. Presented at the Plenary Session of the 125th American Neurological Association Annual Meeting, 2000.	
CX		Matsuura T, Burgess DL, Yamagata T, Rasmussen A, Grewal RP, Watase K, Tsuji K, Khajavi M, MacCall A, Davis, CF, Yescas P, Zu L, Pulst SM, Alonso E, Noebels JL, Nelson DL, Zoghbi HY, Ashizawa T. Large expansion of ATTCT pentanucleotide repeat in spinocerebellar ataxia type 10 (SCA10). Am J Hum Genet 2000;67:55.	
CY		Koob, MD, Moseley ML, Schut, LJ, Benzow, KA, Bird, TD, Day, JW, Ranum, LPW. An untranslated CTG expansion causes a novel form of spinocerebellar ataxia (SCA8). Nat Genet. 1999, 21: 379-384.	
CZ		Seltzer, WK, Boss, MA, Viera-Saecker, A-M, Epplen, JT, Riess, O, Roass, CA, Margolis, RL. Expansion of a novel CAG trinucleotide repeat in the 5' region of PPP2R2B is associated with SCA12. Nat. Genet. 1999, 23:391-392.	
DA		Ashizawa T, Matsuura T, Rasmussen A, Grewal RP, Zu L, Pulst SM, Pandolfo M, Sasaki H, Volpini V, Yamagata T, Watase K, Burgess DL, Inoue K, Yescas P, Nagamitsu S, Momoi MY, Tashiro K, Zoghbi HY, Alonso E, Nelson DL. Founder effect of the spinocerebellar ataxia type 10 mutation in the Mexican population. Am J Hum Genet 2000;67:373.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.
25208358.1